

VOTE “NO” ON HR 418, “THE REAL ID” ACT

Dear Representative:

The undersigned organizations urge you to oppose Representative Sensenbrenner’s REAL ID bill, HR 418. The provisions standardizing driver’s licenses will go even further toward creating a national ID card than did Section 7212 of the Intelligence Reform bill. Although Section 7212 has become law, the regulations have not yet been promulgated. HR 418 would repeal Section 7212, replacing it with a national database shared with Canada and Mexico, and dictate to states which state residents are eligible for driver’s licenses.

- HR 418 would repeal current law and require linking of all state driver’s license databases. All states would have to subscribe to the “Driver License Agreement,” making the data available to Canada and Mexico as well as other states. Thus, all the information in the database about U.S. residents will be available to Canada and Mexico.
- The database may grow to contain far more information than information relevant to driving. HR 418 requires that the database shall contain “at a minimum,” all information contained on the driver’s license as well as driving history. There is no limit to what other information may eventually be contained in the database.
- HR 418 is an affront to the concept of federalism.
 - Current law requires a negotiated rulemaking in which States will have representatives on the rulemaking committee. HR 418 repeals current law and leaves it to the Secretary of Homeland Security to promulgate the rules, “in consultation” with the States. Under HR 418, the States have less of an opportunity to make significant input into the rules.
 - Current law leaves it to the States to decide eligibility requirements. HR 418 repeals current law and dictates to the States the rules about which state residents can get a state-issued driver’s license and who may not.
 - Current law prohibits the federal government from setting a standard design for state identity cards. HR 418 repeals current law and allows the Secretary of Homeland Security to “prescribe one or more design formats” for identity cards.
- HR 418 repeals current law requiring that the regulations promulgated shall include procedures and requirements to protect privacy rights.

Standardization of driver’s licenses has long been recognized as a bureaucratic back-door to implementation of a national ID card. With its required linking of databases and ability of the Secretary of Homeland Security to require a prescribed format, HR 418 takes us well along that road. Concerns are further heightened when the bill fails to even provide lip service to privacy concerns, and proposes to share all of our data on the driver’s license database with Canada and Mexico. We therefore urge you to oppose HR 418.

Sincerely,

American Arab Anti-Discrimination Committee

American Association of American Physicians & Surgeons

American Civil Liberties Union

American Conservative Union

American Policy Center

Center for Cognitive Liberty & Ethics

Computer Professionals for Social Responsibility

Consumer Action

Cyber Privacy Project

Electronic Frontier Foundation

Electronic Privacy Info Center

Free Congress Foundation

Friends Committee on National Legislation

Gun Owners of America

League of United Latin American Citizens

Privacy Journal

Privacy Rights Clearinghouse

Republican Liberty Caucus

World Privacy Forum